

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEMETRIUS AHMED WRIGHT, No. C 09-02261 CW (PR)
Plaintiff, ORDER OF DISMISSAL
v.
DR. LEE, et al.,
Defendants.

On May 21, 2009, Plaintiff filed a letter dated May 7, 2009 and attached a document entitled, "Civil Rights Complaint (42 U.S.C. § 1983)." In an effort to protect Plaintiff's rights, the Clerk of the Court treated these documents as an attempt to open a new case. However, the Court has since reviewed these documents and finds that it is apparent that Plaintiff did not intend to commence a new case.

In his May 7, 2009 letter, Plaintiff states that the "enclosed civil rights complaint was mailed to the Superior Court of California, County of Monterey," and that "he felt it was advisable to forward the enclosed" in light of "Plata v. Schwarzenegger." (Pl.'s May 7, 2009 Letter at 1-2.) The record shows that Plaintiff has no pending federal civil rights complaint in this Court. Accordingly, this action is DISMISSED because it was opened in error. No filing fee is due.

The Clerk shall terminate all pending motions and close the file.

IT IS SO ORDERED.

DATED: 6/24/09


CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DEMETRIUS AHMED WRIGHT,

Case Number: CV09-02261 CW

Plaintiff,

CERTIFICATE OF SERVICE

v.

DR. LEE MD et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 24, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Demetrius Ahmed Wright T65802
Salinas Valley State Prison
P.O. Box 1050
Soledad, CA 93960

Dated: June 24, 2009

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk

United States District Court
For the Northern District of California